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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/749,487 | 12/26/2000 | Thomas B. Robertson | APP1P006 | 4372 |
| 7590 | 02/17/2004 | | EXAMINER | |
| Steve Gupta Vice President Finance - Appareon 1100 Island Drive Redwood City, CA 94065 | | | | BOYCE, ANDRE D |
| | | ART UNIT | PAPER NUMBER | 3623 |

DATE MAILED: 02/17/2004

Remain

Please find below and/or attached an Office communication concerning this application or proceeding.

*Address changed to
inventors
response denied
started 5/10/04*

*Send to
inventor Thomas B. Robertson
10501 W. Scottsdale
Sun City, Arizona 85373*



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| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/749,487 | ROBERTSON ET AL. |
| Examiner | Art Unit | |
| Andre Boyce | 3623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 December 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 December 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. Claims 1-18 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-10, 12-16, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson et al (US 2002/0133387).

As per claim 1, Wilson et al discloses a method for tailoring a network based supply chain for different regions (supply chain management system based on customer geographical region, ¶ 0009) comprising the steps of: (a) receiving a plurality of documents which include information reflecting services rendered in a source region in an apparel (e-retailer) supply chain (customer inquiries received via web pages or standard EDI, ¶ 0029), (b) identifying a current region in which the documents are received (geographical location of the customer, ¶ 0008), (c) delivering the documents based on parameters of the identified current region for the purpose of the processing thereof (location data), and (d) outputting the processed

documents to a destination region of the apparel supply chain (responses transmitted from the promising engine 130 to client 120, ¶ 0034).

As per claim 2, Wilson et al discloses a speed with which the documents may be transmitted (transmission via a dedicated line or dial up connection, where dedicated line transmission is inherently faster than dial up, ¶ 0032).

As per claim 3, Wilson et al discloses a medium over which the documents may be transmitted (transmission via web page standard EDI, or some other medium, ¶ 0029).

As per claim 4, Wilson et al discloses the documents presented in a manner that utilizes capabilities of the current region (system identifies regions best suited to serve the customer, ¶ 0008).

As per claim 6, Wilson et al discloses the network includes the Internet (web interface 140, figure 1).

Claims (7-10 and 12) and (13-16 and 18) are rejected based upon the rejections of claims 1-4 and 6, respectively, since they are the computer program product and system claims corresponding to the method claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al (US 2002/0133387), in view of Dabbiere et al (US 2002/0013721).

As per claim 5, Wilson et al does not explicitly disclose the documents translated based on the identified current region. Dabbiere et al discloses translation of a document (¶ 0037). Both Wilson and Dabbiere are concerned with effective supply chain management. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include documents translated based on the identified current region in Wilson, as seen in Dabbiere, as an effective means of translating documents, thereby making the system more robust.

Claims 11 and 17 are rejected based upon the rejection of claim 5, respectively, since they are the computer program product and system claims corresponding to the method claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Vasconi et al (US 2002/0062262) disclose an industry wide computerized business to business exchange.

-Yang et al (US 2001/0034673) disclose service parts inventory planning.

-Reyda et al (US 2002/0002501) disclose a method of facilitating operations of a plurality of independent retailers.

-Landvater (USPN 6609101) disclose a time-phased forecasting and replenishment system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (703) 305-1867. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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adb

Susanna Diaz
Susanna Diaz
Primary Examiner
AU.3623